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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/780,035

02/17/2004

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EXAMINER

PATEL, HEMANT SHANTILAL

ART UNIT

PAPER NUMBER

2614

MAIL DATE

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03/05/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/780,035

**Applicant(s)**

SKUBISZ, MICHAEL A.

**Examiner**

Hemant Patel

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It recites (ll. 2) "data rates greater than about 200 kbps". It is not clear how close i.e. 199 kbps or 201 kbps or any other range the data rate has to be.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9, 11-17, 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kung (US Patent No. 6,373,817 B1).

***Regarding claim 1***, Kung teaches of an intelligent media gateway (Fig. 3, item 300) for providing telephone call features to an analog telephone using packet-switched telephony, said intelligent media gateway comprising:

at least one broadband connection for receiving and transmitting digital data corresponding to inbound and outbound telephone calls, respectively, wherein said digital data includes telephone call data and voice data (Fig. 3 items 112, 302; col. 20 ll. 32-60);

at least one telephone interface for receiving and transmitting analog voice signals corresponding to said inbound and said outbound telephone calls (Fig. 3 item 332; col. 24 ll. 4-33);

a call processing system for processing said inbound and outbound telephone calls and for converting between said voice data and said analog voice signals, said call processing system including an intelligent call agent for managing said telephone calls according to said telephone call data and user defined rules (col. 19 ll. 9-col. 24 ll. 57; describes each individual component of BRG providing different services; col. 34 ll. 11-col. 38 ll. 55 describes services profiles; specifically col. 21 ll. 54-col. 22 ll. 36; col. 23 ll. 40-col. 55); and

a user interface system for providing a user interface for configuring said intelligent call agent and for creating said user define rules (col. 20 ll. 60-col. 21 ll. 13).

**Regarding claim 2**, Kung teaches of the intelligent media gateway further comprising at least one computer interface for receiving computer signals and for interacting with said user interface system to provide said user interface (col. 21 ll. 1-13; col. 24 ll. 25-33).

**Regarding claim 3**, Kung teaches of the intelligent media gateway wherein said at least one computer interface includes at least one LAN interface (col. 24 ll. 25-33).

**Regarding claim 4**, Kung teaches of the intelligent media gateway wherein said broadband connection supports data rates greater than about 200 kbps (col. 5 ll. 12-44, providing multimedia calls and services using data access speeds which allow high quantities of data to be distributed over optical fiber networks).

**Regarding claim 5**, Kung teaches of the intelligent media gateway wherein said processing system includes a digital signal processor for converting between said voice data and said analog voice signals (col. 21 ll. 23-32).

**Regarding claim 6**, Kung teaches of the intelligent media gateway wherein said digital signal processor converts between said analog signals and said voice data using voice over IP (VoIP) (col. 19 ll. 19-26; col. 21 ll. 27-32).

**Regarding claim 7**, Kung teaches of the intelligent media gateway wherein said processing system includes a central processing unit (CPU) for coordinating the processing of said inbound and outbound telephone calls (col. 21 ll. 54-col. 22 ll. 36).

**Regarding claim 8**, Kung teaches of the intelligent media wherein said user interface system includes an embedded web server for generating web pages to provide said user interface (col. 34 ll. 62-65, accessing BRG by web site).

**Regarding claim 9**, Kung teaches of the intelligent media wherein said user defined rules include at least one rule for forwarding inbound telephone calls (col. 34 ll. 11-col. 35 ll. 5; chase me schedule).

**Regarding claim 11**, Kung teaches of the intelligent media wherein said user defined rules include at least one rule for mapping inbound telephone calls to different types of rings (col. 37 ll. 56-61; defining for distinctive ringing for chasing call).

**Regarding claim 12**, Kung teaches of the intelligent media wherein said user defined rules include at least one rule for enabling call waiting (col. 23 ll. 42-46; users enable call-waiting).

**Regarding claim 13**, Kung teaches of the intelligent media wherein said telephone interface is a plain old telephone service (POTS) interface (col. 24 ll. 4-24).

**Regarding claim 14**, Kung teaches of the intelligent media wherein said user interface system is an interactive voice response (IVR) system (col. 34 ll. 31-34).

**Regarding claim 15**, Kung teaches of a method of managing packet-switched telephone calls, said method comprising the steps of:

providing call handling rules on a media gateway for handling inbound and/or outbound telephone calls (Figs. 7a, 7b, 8-11 and their corresponding descriptions);

providing a user interface to said media gateway for configuring said call handling rules (col. 22 ll. 37-col. 23 ll.22);

when an invitation to accept at least one inbound telephone call using packet-switched telephony is received, consulting said call handling rules on said media gateway to determine how said inbound telephone call is handled; and processing said inbound telephone call based on said call handling rules (col. 36 ll. 61-col. 37 ll. 61; col. 38 ll. 13-36).

**Regarding claim 16**, Kung teaches of the method wherein the step of providing a user interface includes displaying web pages (col. 34 ll. 58-col. 35 ll. 43; user accesses BRG by web site and configures through displayed screens).

**Regarding claim 17**, Kung teaches of the method wherein said call handling rules include at least one rule for forwarding inbound telephone calls, and wherein the step of processing said inbound telephone call includes forwarding said inbound telephone call based upon inbound caller ID information (col. 34 ll. 11-57; col. 35 ll. 28-

col. 36 ll. 4; col. 36 ll. 36-col. 38 ll. 36; describes various forwarding and call handling scenarios).

**Regarding claim 20**, Kung teaches of the method wherein said user defined rules include at least one rule for mapping inbound telephone calls to different types of rings, and wherein the step of processing said inbound telephone call includes generating a ring tone for said inbound telephone call based upon inbound caller ID information (col. 36 ll. 55-56 calling party preference i.e. caller ID based preference; col. 36 ll. 61-col. 37 ll. 40; processing incoming call based on country code or combination of country code and city code of incoming call; providing tactile alerting, distinctive ringing or announcement).

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kung as applied to claims 1, 15 above, and further in view of Girard (US Patent Application Publication No. 2002/0176404 A1).

**Regarding claim 10, 18, 19**, Kung does not teach of outbound call blocking.

However, in the same field of endeavor, Girard teaches of an edge switch providing outbound call handling rules including rule for outbound call blocking based on called party dialed number (Paragraph 0378).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kung to define rules for outbound call blocking and to block outbound calls based on called party dialed number as taught by Girard so that "the subscriber may selectively block inbound and/or outbound calls by specifying area codes, exchanges, and line numbers" (Girard, Paragraph 0378).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant Patel whose telephone number is 571-272-8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hemant Patel  
Examiner  
Art Unit 2614

HSP  
*HSP*

  
**FAN TSANG**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**